

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALDEN PARK, LLC, *et al.*,

Case No. 08-12116

Plaintiffs.

v.

Lawrence P. Zatkoff
United States District Judge

ANGLO IRISH BANK,
CORPORATION, PLC.,

Michael Hluchaniuk
United States Magistrate Judge

Defendant.

**ORDER GRANTING DEFENDANT'S
MOTION TO COMPEL (Dkt. 26)**

On December 4, 2008, defendant, Anglo Irish Bank Corporation, PLC, filed a motion to compel the production of documents pursuant to a subpoena served on non-party Alden Park Towers, LLC (Alden Park Towers). (Dkt. 26). On December 8, 2008, District Judge Lawrence P. Zatkoff referred this motion for hearing and decision to the undersigned. (Dkt. 29). On December 24, 2008, the Court issued an order requiring defendant and Alden Park Towers to prepare a joint statement of resolved and unresolved issues by January 14, 2009 and also set a hearing for January 21, 2009. (Dkt. 34).

As part of its motion to compel, defendant represented that counsel for Alden Park Towers concurred in the relief requested and filed a proposed

stipulated order reflecting this agreement, which both counsel for defendant and counsel for Alden Park Towers signed. (Dkt. 26, p. 3; Ex. 3). Any response or objection to defendant's motion to compel was due to be filed with the Court by December 21, 2008. Plaintiffs have not filed any objection with the Court. Given that plaintiffs failed to object to the relief requested, and that Alden Park Towers has stipulated to produce the subpoenaed documents, the Court **GRANTS** defendant's motion to compel. Alden Park Towers must produce the subpoenaed documents within 14 days of entry of this Order.

IT IS SO ORDERED.

The parties to this action may object to and seek review of this Order, but are required to file any objections within 10 days of service hereof as provided for in 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2). A party may not thereafter assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), any objection must be served on this Magistrate Judge.

Date: January 8, 2009

s/Michael Hluchaniuk

Michael Hluchaniuk

United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on January 8, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send electronic notification to the following: Larry K. Griffis, Danielle J. Hessell, Michael F. Jacobson, Steven M. Ribiat, and Michael R. Turco, and I certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: not applicable.

s/Tammy Hallwood
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